

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**REGINALD COLE, Jr.,  
Plaintiff,**

**v.**

**Case No. 08C1082**

**JEROMY STANTIEC,  
Defendant.**

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**ORDER**

Plaintiff, Reginald Cole, filed a pro se civil rights complaint under 42 U.S.C. § 1983. I stayed the case under the Soldiers' and Sailors' Civil Relief Act (50 U.S.C. App. §§ 501, et seq.) pending defendant's active military service in Iraq. Defendant has now returned. To expedite resolution of this case, the court sets forth the following schedule.

**NOW, THEREFORE, IT IS HEREBY ORDERED** that:

1. Plaintiff's motion to lift the stay is **GRANTED** and this case is **REOPENED**.
2. Plaintiff's motion to compel is **DENIED AS MOOT**.
3. **Discovery**. All requests for discovery shall be served by a date sufficiently early so that all discovery is completed no later than **July 2, 2010**.

The parties are advised that, pursuant to Rule 30(a) of the Federal Rules of Civil Procedure, defendants may depose the plaintiff and any other witness confined in a prison upon condition that, at least 14 days before such a deposition, defendants serve all parties with the notice required by the rule.

4. **Dispositive Motions**. Motions to dismiss (Rule 12 of the Federal Rules of Civil Procedure) and motions for summary judgment (Rule 56 of the Federal Rules of Civil Procedure), together with briefs, are to be filed no later than **August 2, 2010** and in accordance with Civil Local Rule 7 (E.D. Wis.) . Copies of Rule 56 and Civil Local Rule 7 (E.D. Wis.) are included with this order.

If a party files a motion for summary judgment, Rule 56 requires a district court to grant summary judgment "if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law." Fed. R. Civ. P. 56(c).

The plaintiff is advised that if a defendant files a motion for summary judgment supported by one or more affidavits or other materials, the plaintiff may not rely upon the allegations of the complaint but must introduce affidavits or other evidence to "set forth specific facts showing that there is a general issue for trial." Fed. R. Civ. P. 56(e).

**5. Compliance with Court Rules and Orders.** The plaintiff is further advised that failure to make a timely submission or otherwise comply with the court orders will result in the dismissal of this action for failure to prosecute.

**6. Service.** Under Fed. R. Civ. P. 5(a), a copy of every paper or document filed with the court must be sent to opposing parties.

Dated at Milwaukee, Wisconsin this 12 day of March, 2010.

/s \_\_\_\_\_  
LYNN ADELMAN  
District Judge